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C O N F I D E N T I A L SECTION 01 OF 02 TEGUCIGALPA 001035

SIPDIS

STATE FOR WHA A/S TOM SHANNON

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SUBJECT: TFH01: DIALOGUE OF GUYAMURAS: UPDATE ON OAS
SUPPORTED NEGOTIATIONS

TEGUCIGALP 00001035 001.2 OF 002

Classified By: Ambassador Hugo Llorens, reasons 1.4 (b & d)

11. (C) Summary: The formal negotiations launched by the OAS Foreign Ministers have gotten off to a smoother start than expected. Beginning on October 7, both commissions, with support from an OAS secretarial team, have held daily sessions and have been able to achieve agreement or concurred on modification on five of the San Jose Accord's 12 articles.

Both commissions have wisely agreed to deal with the less controversial aspects of the Accord first and left the most difficult for last, including the restoration of President Zelaya. In a conversation with the Ambassador on October 8, Zelaya said he was doubtful that Micheletti would deal in good faith, but he said he had instructed his team to negotiate in a flexible and constructive manner. He predicted that we would know in the next couple of days if there was any serious possibility of a deal. End Summary.

12. (C) The OAS Foreign Ministers were able to successfully launch the negotiations between representatives of President Manuel "Mel" Zelaya and regime President Roberto Micheletti. Both sides agreed that a solution to the crisis requires direct negotiations by the Hondurans themselves, and have nationalistically named the process, Dialogue of Guaymuras, in place of the San Jose. (Note: Guaymuras is a term used by Spanish explorers to describe Honduras before the colonization. End Note). The Zelaya team is composed of three members: Minister of Governance Victor Meza, Minister of Labor Mayra Mejia, and Resistance movement leader Juan Barahona. The Micheletti side's three members are: former Supreme Court Magistrate Armando Aguilar, political consultant Arturo Corrales, and former Supreme Court President Vilma Morales. Both the Zelaya and Micheletti commissions have demonstrated good will and professionalism. Meza and Aguilar, as respective commission chairs, have been especially articulate and set a positive tone for the dialogue. In the opening session on October 7 both sides engaged in a two hour session and reached agreement on the agenda. The agenda set by both sides includes review of the San Jose Accord (as the basic framework for the talks), suggested modifications and modalities for the implementation of the Accord, and the creation of a Political-Social Pact.

13. (C) Beginning on October 8, both commissions began an article-by-article review of the San Jose Accord. The two commissions adopted a pragmatic approach to the talks by first reaching agreement on the less controversial aspects of the Accord. Based on these discussions, both sides were able to secure agreement on final text for three of the San Jose Accord's 12 articles. These included Article 1 (which deals with the creation of a government of national reconciliation). With regards to Article 2 (political amnesty) the two sides agreed to delete this article from the Accord and not require political amnesty. In the discussions, the Zelaya side initially accepted the amnesty noting that the request for political amnesty had originally been proposed by the Micheletti side in the talks held last July in San Jose. The Micheletti side said they no longer supported the political amnesty. This moved the Zelaya team to back away from political amnesty and agreed to remove this article from the Accord. (Note: Chief of Defense General Romeo Vasquez Velasquez spoke to the Ambassador on the evening of October 8 and privately convey his opposition to the decision to delete the political amnesty clause of the accord. The Honduran military high command supports political amnesty believing that it provides them protection against any attempt to hold them criminally liable for having carried out the arrest and extradition of President Zelaya. The elimination of this article will make it harder for the Honduran Armed Forces to support an agreement. We have passed on this message privately to both sides and they have agreed to reconsider their positions. End Note). Finally, both commissions were able to agree on Article 3, whereby both sides commit to not seek to convene a constituent assembly.

14. (C) Both commissions convened this morning at nine. We understand that they agreed to modify Article 4 (which called

TEGUCIGALP 00001035 002.2 OF 002

for moving up the date of the elections from November 29 to October 28). Both sides support holding elections on November 29 as scheduled. They were also able to reach agreement on Article 5 (to second the Honduran military to the Supreme Elections Tribunal beginning at the end of October) or one month prior to the elections.

15. (C) The Ambassador spoke to President Zelaya the evening of June 8 to discuss the OAS Foreign Ministers visit and the negotiations. The Ambassador expressed the view that the OAS Foreign Minister's visit had gone well. The Ambassador added that the negotiations had gotten off to a good start and that both sides seemed to be acting in good faith. Zelaya said he was skeptical of Micheletti's willingness to reach a final agreement. However, he said that he had made a commitment to the Foreign Ministers to do everything in his power to achieve a negotiated agreement under the San Jose framework. He said that the decision by the regime to allow him to meet twice with his three-member commission had helped his side fashion a good negotiating strategy. He said he had encouraged his team to be flexible and constructive in the talks and agreed that it was best to attempt to build momentum in the negotiating process by dealing with the less controversial aspects of the discussions first. Zelaya predicted that we would know in the coming couple of days if the Micheletti side was willing to consider his restoration, which he stressed was not negotiable. In the discussion, Zelaya said he understood that the political amnesty issue would cause problems for the military and he said he was willing to go back and raise this in the next round of talks.

16. (C) Comment: For now the process is in the hands of two professional negotiating teams. The hope is that the negotiations will lead to agreement on most aspects of a deal. A broad agreement on most aspects of San Jose will hopefully generate the momentum and help build popular pressure on Zelaya and Micheletti to put their differences behind them and push for a final historic consensus.

LLORENS